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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,792	10/06/2000	Stefan Georg Hild	RSW9-2000-0075-US1	2903

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/680,792

Applicant(s)

HILD ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 12-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Response to Amendment

1. This action is responsive to amendment received on March 3, 2004. Claims 1-6, 9-11, 16, 17, 20, 21, 24-27 were amended. Claims 12-14 were canceled. Claims 28-30 were newly added. Claims 1-30 are pending examination.

Claim Objections

2. Amendment does not include claim 15. Examiner assumes claim 15 was canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 11, 16, 21, 26 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Lewis et al., U.S. Patent No. 6,457,059 (referred to hereafter as Lewis).

As to claims 1, 16 and 26, Lewis teaches a method, program and system in a data processing system for transcoding content using a set of transcoders comprising:

receiving a request for the content from a client, wherein the request includes a set of characteristics (see col. 3 lines 46-60);

selecting a transcoder from the set of transcoders having a best match to the set of characteristics, wherein selecting a transcoder from the set of transcoders includes

using the set of characteristics to perform a lookup of a transcoder corresponding to one or more characteristics in the set of characteristics in a transcoder data structure having entries for a plurality of transcoders (see col. 3 lines 23-45); and

transcoding the content using the transcoder to form transcoded content (see col. 3 lines 23-45).

As to claim 2, Lewis teaches the method of claim 1 wherein the set of transcoders includes one or more specific transcoders and one or more generic transcoders and wherein if none of the one or more specific transcoders area best match to the set of characteristics, a generic transcoder is selected (see col. 7 lines 20-67).

As to claim 4 Lewis teaches, a method in a data processing system for transcoding content using a set of transcoders, the method comprising:

receiving a request for the content from a client, wherein the request includes a set of characteristics;

selecting a transcoder from the set of transcoders having a best match to the set of characteristics; and

transcoding the content using the transcoder to from transcoded content, wherein the set of characteristics is a tuple including parameters for a document type definition, an application, a device, and a user (see col. 3).

As to claim 5, Lewis teaches the method of claim 1, wherein the set of characteristics includes an application characteristic identifying an application on the

client that is to receive the content and a device characteristic identifying a type of device that the client is, and wherein selecting a transcoder includes:

attempting to find a best match transcoder in the transcoder data structure based on the application characteristic; and

if a best match transcoder is not found based on the application characteristic, attempting to find a best match transcoder, in the transcoder data structure based on the device characteristic (see col. 3 and col. 7).

As to claim 3, Lewis teaches a method in a data processing system for transcoding content using a set of transcoders, the method comprising:

receiving a request for the content from a client, wherein the request includes a set of characteristics (see col. 3 lines 46-60);

selecting a transcoder from the set of transcoders having a best match to the set of characteristics (see col. 3 lines 23-45); and

transcoding the content using the transcoder to form transcoded content, wherein the set of characteristics includes a content type and a set of client characteristics (see col. 3 lines 23-45).

As to claims 6, 21 and 27, Lewis teaches a method, system and program in a data processing system for transcoding content using a set of transcoders, the method comprising:

receiving a request for the content, wherein the request includes identification information for a client originating the request;

selecting a transcoder from the set of transcoders, wherein the transcoder provides a closest match to the identification information, wherein selecting a transcoder from the set of transcoders includes using the set of characteristics to perform a lookup of a transcoder corresponding to one or more characteristics in the set of characteristics in a transcoder data structure having entries for a plurality of transcoders;

processing the content using the transcoder (see col. 3 and col. 7).

As to claim 11, a data processing system comprising:

a bus system;

a communications unit connected to the bus system;

a memory connected to the bus system, wherein the memory includes a set of instructions; and

a processing unit connected to the bus system, wherein the processing unit executes the set of instructions to receive a request for the content from a client through the communications unit in which the request includes a set of characteristics, select a transcoder from the set of transcoders having a best match to the set of characteristics, wherein selecting a transcoder from the set of transcoders includes using the set of characteristics to perform a lookup of a transcoder corresponding one or more characteristics in the set of characteristics in a transcoder data structure having entries for a plurality of transcoders, and transcode the content using the transcoder to form transcoded content (see col. 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of Becker et al., U.S. Patent No. 5,878,223 (referred to hereafter as Becker).

As to claims 28 and 30, Lewis teaches a method in a data processing system for transcoding content using a set of transcoders comprising receiving a request for the content from a client, wherein the request includes a set of characteristics; selecting a transcoder from the set of transcoders having a best match to the set of characteristics, wherein selecting a transcoder from the set of transcoders includes using the set of characteristics to perform a lookup of a transcoder corresponding to one or more characteristics in the set of characteristics in a transcoder data structure having entries for a plurality of transcoders; and transcoding the content using the transcoder to form transcoded content (see the rejection of claim 1).

Lewis does not explicitly teach the limitation "set of characteristics is used to select a transcoder that meets output preferences of the user". However Becker teaches a method of displaying information to a user according to user preferences (see abstract).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Lewis by incorporating the step of displaying information to the

user based on user preferences as taught by Becker because doing so would allow the user to view desired information in a preferred size or color without modifying the received data and therefore having more efficient communication method by saving time rather than modifying data after every retrieval.

As to claim 29, Becker teaches the output preferences include color preferences (see abstract).

5. Claims 7-10, 17-20 and 22-25 do not teach or define any additional limitation over claims 1-6 and therefore are rejected for similar reasons.

6. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new grounds of rejection.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

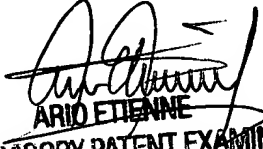
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

May 11, 2004


ARIO ETIENNE
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